

Applicant: John G. Deshayes, *et al.*  
U.S.S.N.: 09/747,179  
Filing Date: December 21, 2000  
EMC Docket No.: EMC-99-042

### **REMARKS**

This Amendment is in response to the (Final) Office Action mailed on March 30, 2004. Claims 9-18, 27-34, and 41-48 are now pending. Claim 9 has been amended to correct a typographical error. Claims 28 and 42 have been amended for the sake of clarity. Claims 10, 27, 29-34, 41, and 43-48 have been allowed. Reconsideration of the subject application and the new claims and allowance thereof is hereby respectfully requested.

Claims 9, 11-18, 28 and 42 have been rejected under 35 USC 112 for being indefinite. Claim 9 was rejected for reciting the same limitation twice due to a typographical error made during the previous amendment to this claim. This claim has been amended to delete the redundant recitation. Allowance of Claim 9 is hereby respectfully requested in view of this amendment.

Claims 11-18 have been rejected for being dependent on Claim 9 which had been rejected. In view of the amendment to Claim 9, removal of this rejection and allowance of Claims 11-18 is hereby respectfully requested.

Claims 28 and 42 have been rejected for reciting steps related to “making the at least one comparison for at least one first resource” more than once in a way that the Examiner has interpreted as rendering the claim indefinite. Applicants have now amended Claims 28 and 42 to correct this condition and allowance of these claims is now hereby respectfully requested in view of these amendments.

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In view of the foregoing, the Applicants believe that the application is in condition for allowance and respectfully request favorable reconsideration and allowance of all non-canceled claims.

In the event the Examiner deems personal contact desirable in the disposition of this case, the Examiner is invited to call the undersigned attorney at (508) 293-6985.

Please charge all fees occasioned by this submission to Deposit Account No. 05-0889.

Respectfully submitted,

Dated:

February 18, 2005



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